

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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YUSEF A. HARRIS, ISHMAEL C. HARRIS,	:	
GREGORY S. HARRIS, and ORAL R.	:	
SINCLAR,	:	
	:	23-CV-6344 (VSB)
Plaintiffs,	:	
	:	<u>ORDER</u>
-against-	:	
	:	
THE CITY OF NEW YORK <i>et al.</i> ,	:	
	:	
Defendants.	:	
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VERNON S. BRODERICK, United States District Judge:

I am in receipt of a letter, filed by Plaintiffs on January 5, 2024, seeking leave to amend the complaint under Rule 15 of the Federal Rules of Civil Procedure, and requesting that this case be reassigned to Judge Vyskocil as related to *Buari v. City of New York et al.*, No. 18-cv-12299. (Doc. 11.) I am also in receipt of a letter, filed by Defendant The City of New York on January 16, 2024, opposing both requests. (Doc. 13.) Accordingly, it is hereby:

ORDERED that Plaintiffs' request to amend the complaint is DENIED to the extent that Plaintiffs seek to assert claims on behalf of the Harris Brothers. If Plaintiffs seek to assert claims on behalf of themselves, they are directed to submit a second letter, by February 12, 2024, setting forth the nature of those claims.

IT IS FURTHER ORDERED THAT Plaintiffs' request to reassign this case to Judge Vyskocil as related to *Buari* pursuant to Rule 13 of the Rules for the Division of Business Among District Judges, Southern District of New York is DENIED. Because *Buari* is a closed case, there is no risk that the parties will be subject to inconsistent orders or that the separate adjudication of this case will result in a substantial duplication of effort and expense.

Failure to comply with this Order will result in dismissal of the case under Federal Rule of Civil Procedure 41(b). *See, e.g., Smith v. Dinoia*, No. 19-cv-4471, 2020 WL 4041449, at *1–2 (S.D.N.Y. July

17, 2020) (dismissing for failure to prosecute where plaintiff was unresponsive despite warnings that case could be dismissed for failure to prosecute). The Clerk of Court is respectfully directed to mail a copy of this Order to Plaintiffs at their last known address.

SO ORDERED.

Dated: January 17, 2024
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive, flowing style. The first name "Vernon" is written with a large, prominent "V". The last name "Broderick" is written with a large, prominent "B". The signature is written over a horizontal line.

VERNON S. BRODERICK
United States District Judge